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FILE

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STEPHENS CITY, VIRGINIA 22655

July 31, 1992

Ms. Donna R. Searcy, Secretary  
Federal Communications Commission  
1919 M Street, N.W., Room 222  
Washington, D.C. 20554

RECEIVED

JUL 31 1992

Re: Petition for Rule Making  
Belle Plaine, Iowa  
AM&H #15115

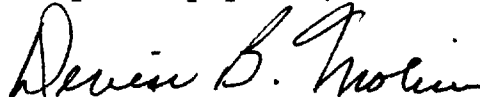
FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Dear Ms. Searcy:

On behalf of Cynthia A. Siragusa, permittee of a new FM Station on Channel 238A at Belle Plaine, Iowa (BPH-910905MB, granted June 2, 1992), there is transmitted herewith a Petition for Rule Making for an upgrade of the allotted channel for Belle Plaine, Iowa from Channel 238A to Channel 238C3, and for modification of Ms. Siragusa's permit to allow for operation on the substitute channel.

Should there be any question regarding the attached Petition, please contact the undersigned.

Very truly yours,

  
Denise B. Moline

DBM:wp  
Attachment

No. of Copies rec'd  
List A B C D E

64

**BEFORE THE**  
**Federal Communications Commission**  
**WASHINGTON, D.C.**

To: Chief, Allocations Branch

Siragusa is currently the permittee of a new FM Station authorized to operate on Channel 238A at Belle Plaine, Iowa (BPH-910905MB; granted June 2, 1992). She believes that an upgrade of the currently allotted facilities to Channel 238C3 is in the public interest since it will provide wider-area service coverage to a larger population than is presently covered under the current authorization. As demonstrated in Table 1.1 of the "Engineering Statement in Support of Petition for Rule Making" (Engineering Statement) attached hereto, grant of the instant Petition would result in Siragusa's ability to provide coverage to an additional area of 2,156 sq. km., and to an additional 28,472 persons.

The attached Engineering Statement demonstrates that the proposed allotment complies with the Commission's Rules. The proposed allotment is not short-spaced to any presently authorized allotment, and is mutually exclusive with the present allotment on Channel 238A at Belle Plaine, Iowa. Since the proposed allotment is mutually exclusive with Siragusa's permit, § 1.420(g)(3) allows for modification of Siragusa's permit in the course of the instant Rule Making for the change in allotment.

Siragusa hereby expresses her intent to file a modification application to propose operation on the upgraded channel in the event this Petition for Rule Making is granted, and to construct a new FM station on the upgraded channel to provide service to Belle Plaine, Iowa.

WHEREFORE, the foregoing considered, Siragusa respectfully requests that the Commission GRANT the instant Petition for Rule Making, AMEND § 73.202(b), Table of Allotments, FM Broadcast Stations, as follows:

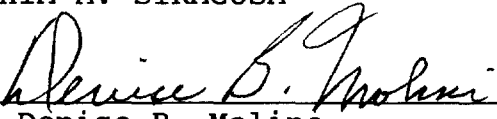
<u>Community</u>	<u>Present</u>	<u>Proposed</u>
Belle Plaine, Iowa	238A	238C3

and ORDER that Siragusa modify her construction permit for Belle

Plaine, Iowa to specify operation on the substituted channel.

Respectfully submitted,

CYNTHIA A. SIRAGUSA

By:   
Denise B. Moline  
Her Attorney

Allen, Moline & Harold  
10500 Battleview Parkway, Suite 200  
P.O. Box 2126  
Manassas, VA 22110  
(703) 361-2278  
July 31, 1992

NOTARIZED COPY

ENGINEERING EXHIBIT E-2

ENGINEERING STATEMENT IN  
SUPPORT OF PETITION  
FOR RULEMAKING  
CHANNEL 238C3 - BELLE PLAINE, IA  
Cynthia A. Siragusa  
Belle Plaine, IA

JULY 17, 1992

Prepared for: Ms. Cynthia A. Siragusa  
50 Park Terrace East  
Suite 3F  
New York, NY 10034

CARL E. SMITH CONSULTING ENGINEERS

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Belle Plaine, IA

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Channel 238C3 - Belle Plaine, IA

Fig. 1.1 - Authorized and Proposed  
1 mV/m Contours

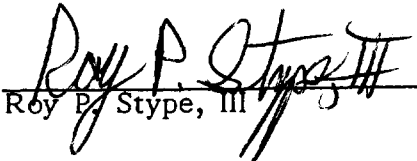
Table 1.1 - Authorized and Proposed  
1 mV/m Contour Population  
and Area

ENGINEERING AFFIDAVIT

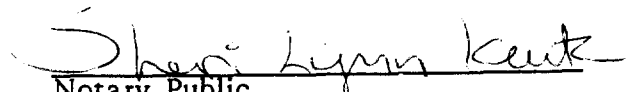
State of Ohio                    )  
                                      )  
County of Summit            )     ss:

Roy P. Stype, III, being duly sworn, deposes and states that he is a graduate Electrical Engineer, a qualified and experienced Communications Consulting Engineer whose works are a matter of record with the Federal Communications Commission and that he is a member of the Firm of "Carl E. Smith Consulting Engineers" located at 2324 North Cleveland-Massillon Road in the Township of Bath, County of Summit, State of Ohio, and that the Firm has been retained by Cynthia A. Siragusa to prepare the attached "Engineering Exhibit E-2."

The deponent states that the Exhibit was prepared by him or under his direction and is true of his own knowledge, except as to statements made on information and belief and as to such statements, he believes them to be true.

  
\_\_\_\_\_  
Roy P. Stype, III

Subscribed and sworn to before me this     17th           day of     July, 1992.

  
\_\_\_\_\_  
Notary Public

SHERI LYNN KURTZ, Notary Public  
For the State of Ohio  
My Commission Expires June 14, 1995  
Recorded in Summit County

/SEAL/

## ENGINEERING STATEMENT

This engineering exhibit is prepared on behalf of Cynthia A. Siragusa, permittee of construction permit BPH-910905MB for a new FM station in Belle Plaine, Iowa. This construction permit authorizes operation on Channel 238 as a Class A facility. The data contained in this exhibit shows that it is possible to substitute Channel 238C3 for Channel 238A in Belle Plaine and modify this construction permit to specify operation on Channel 238C3.

The geographic coordinates of Belle Plaine are:

NL - 41° 53' 54"  
WL - 92° 16' 36"

This places Belle Plaine within Zone II, as defined by Section 73.205(c) of the FCC Rules. Accordingly, as outlined in Section 73.210(a) of the FCC Rules, the allotment of a Class C3 channel to Belle Plaine is permitted. The studies contained in this exhibit were conducted from a site 16.8 kilometers south of Belle Plaine. The geographic coordinates of this site are:

NL - 41° 45' 00"  
WL - 92° 19' 00"

This site also falls within Zone II, permitting the operation of a Class C3 facility from this site.

Table 1.0 is an FM allocation study for Channel 238C3 from the site described above. An examination of this table shows that operation on Channel 238C3 from this site would be short spaced to the licensed operation of KCII-FM - Washington, Iowa, on Channel 237A and the authorized operation in Belle Plaine on Channel 238A. The Report and Order in MM Docket 89-451 ordered KCII-FM to move to Channel 291A. Thus, this short spacing should pose no impediment to the upgrade proposed herein. The short spacing to the authorized operation on Channel 238A in Belle Plaine will also pose no problems, since this channel will be deleted if Channel 238C3 is allotted to Belle Plaine, as proposed



herein. Furthermore, under the provisions of Section 1.420(g) of the FCC Rules, this conflict with the existing authorization will permit this construction permit to be modified to specify operation on Channel 238C3, regardless of other expressions of interest which might be received. As shown in this table, operation on Channel 238C3 from this site meets the spacing requirements to all other facilities requiring consideration. It should be noted that, under the rounding provisions of Section 73.208(c)(8) of the FCC Rules, the 95.81 kilometer spacing to KGGO-FM - Des Moines, Iowa, is considered to comply with the required spacing of 96 kilometers and the 88.53 kilometer spacing to KQMG-FM - Independence, Iowa, is considered to comply with the required spacing of 89 kilometers.

Figure 1.0 is a map exhibit showing the predicted 3.16 mV/m (city grade) contour from the site specified above for Channel 238C3 in Belle Plaine. This contour was projected assuming maximum Class C3 facilities of 25 kilowatts effective radiated power at 100 meters above average terrain utilizing terrain data from the NGDC 30 second terrain database. As shown in this figure, it will be possible to provide city grade service to all of Belle Plaine on Channel 238C3 from a site which will meet all of the spacing requirements to other facilities requiring consideration.

Figure 1.1 is a map exhibit showing the predicted 1 mV/m contour for Channel 238C3 in Belle Plaine for operation with maximum Class C3 facilities from the coordinates outlined above. This figure also shows the predicted 1 mV/m contour for the authorized facilities for Channel 238A, which are equivalent to the maximum facilities permitted for a Class A station. Table 1.1 presents a comparison of the populations and areas which would be encompassed by these contours.

In summary, Channel 238C3 can be allotted to Belle Plaine, Iowa, in place

of the present allotment on Channel 238A, to permit the facilities authorized in construction permit BPH-910905MB to be upgraded.

TABLE 1.0

## FM ALLOCATION STUDY - CHANNEL 238C3 (95.5 MHz) - BELLE PLAINE, IA

CYNTHIA A. SIRAGUSA  
BELLE PLAINE, IA

STUDY COORDINATES: 41/45/00 92/19/00

STATION	LOCATION	CHANNEL	CLASS	SPACING (km)	REQUIRED SPACING* (km)	NOTES
KGGO FM	Des Moines, IA	235	C	95.81	96.0	
KCZE	New Hampton, IA	236	A	143.88	42.0	2
KCIIFM	Washington, IA	237	A	70.76	89.0	4, 9
KQMGFM	Independence, IA	237	A	88.53	89.0	
KIFGFM	Iowa Falls, IA	237	A	112.79	89.0	
KMAQ	Maquoketa, IA	237	A	145.05	89.0	
KOKXFM	Keokuk, IA	237	C1	166.27	144.0	5, 10
KOKXFM	Keokuk, IA	237	A	166.27	89.0	4
KOKXFM	Keokuk, IA	237	C1	166.51	144.0	5, 6
BPH910905MB	Belle Plaine, IA	238	A	19.10	142.0	2, 3, 9
91-103	St. Ansgar, IA	238	A	187.76	142.0	7
KAANFM	Bethany, MO	238	C2	226.87	177.0	
WGLO	Pekin, IL	238	B1	265.44	175.0	
KQWCFM	Webster City, IA	239	C3	146.09	99.0	2, 5
KLVN	Newton, IA	240	A	58.53	42.0	
KLVN	Newton, IA	240	A	58.53	42.0	2
KIIKFM	Fairfield, IA	240	A	87.52	42.0	
KIIKFM	Fairfield, IA	240	A	87.52	42.0	2
920430MC	Hudson, IA	241	A	73.18	42.0	1, 6
ALLOTMENT	Hudson, IA	241	A	76.29	42.0	10
KMJC	Clinton, IA	241	C1	159.22	76.0	
KCIIFM	Washington, IA	291	A	70.76	12.0	5, 10
KMXD	Ankeny, IA	292	A	106.77	12.0	
KXOF	Bloomfield, IA	292	A	108.12	12.0	4
KXOF	Bloomfield, IA	292	C3	111.77	14.0	5, 10

\* Required Spacing Per Section 73.207 of The FCC Rules

TABLE 1.0 (continued)

FM ALLOCATION STUDY - CHANNEL 238C3 (95.5 MHz) - BELLE PLAINE, IA

-----  
CYNTHIA A. SIRAGUSA  
BELLE PLAINE, IA

Notes:

- |                                      |                         |
|--------------------------------------|-------------------------|
| 1 - Applied For Under Section 73.215 | 6 - Pending Application |
| 2 - Construction Permit              | 7 - Proposed Rulemaking |
| 3 - Channel Deletion Proposed        | 8 - Rulemaking Petition |
| 4 - Move From This Channel Ordered   | 9 - Short-Spaced        |
| 5 - Move to This Channel Ordered     | 10 - Vacant Allotment   |

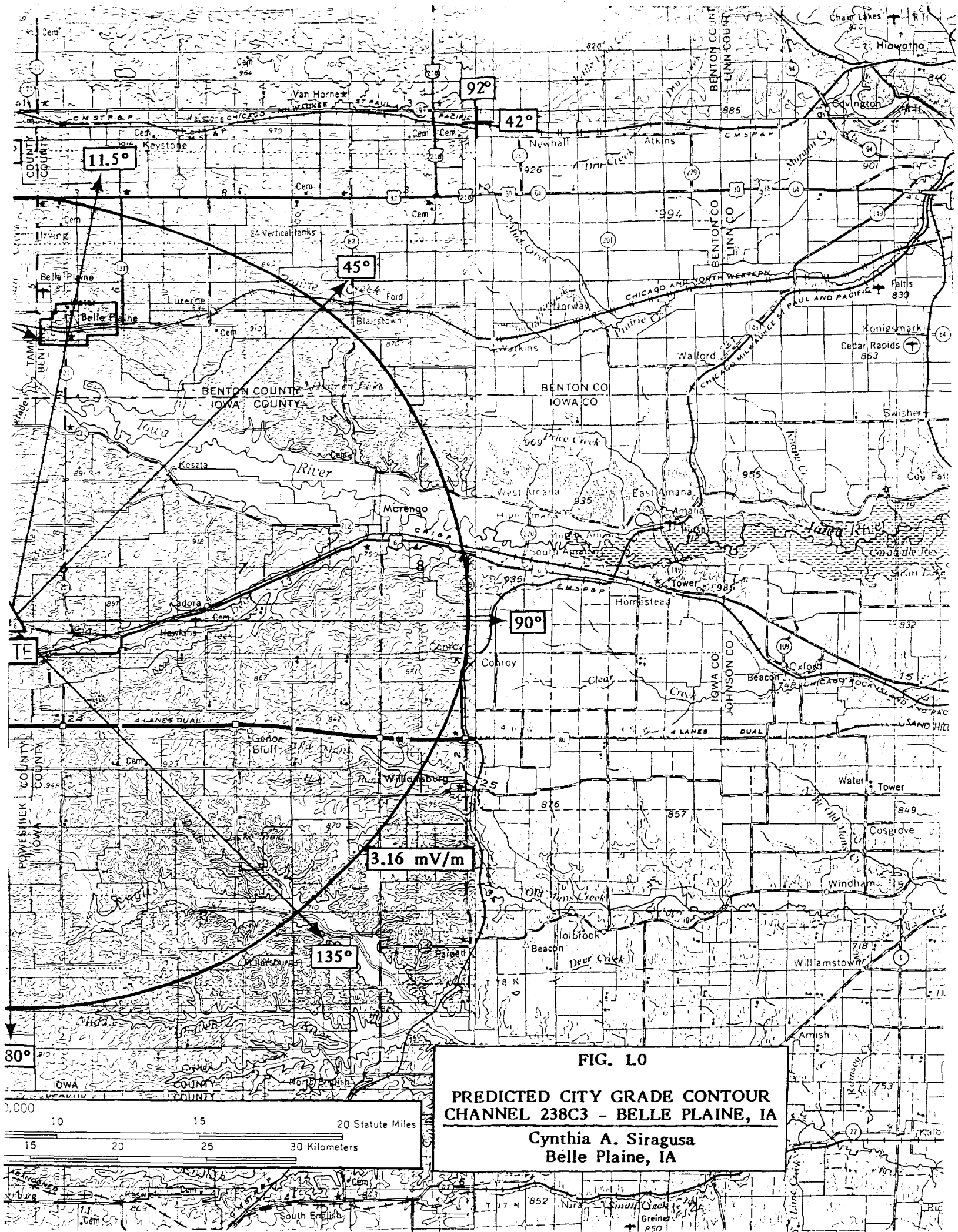
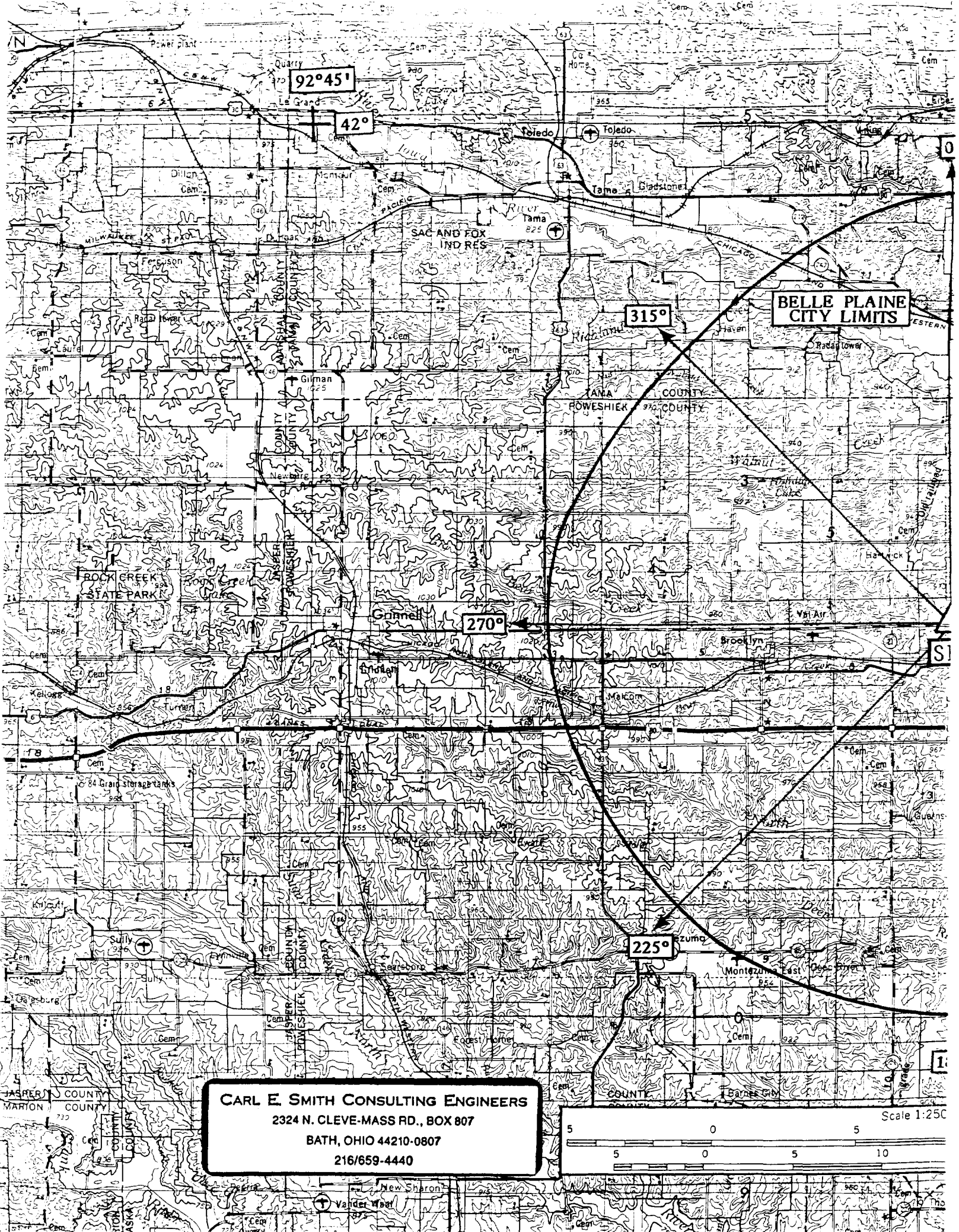


FIG. 10

PREDICTED CITY GRADE CONTOUR  
CHANNEL 238C3 - BELLE PLAINE, IA

Cynthia A. Siragusa  
Belle Plaine, IA

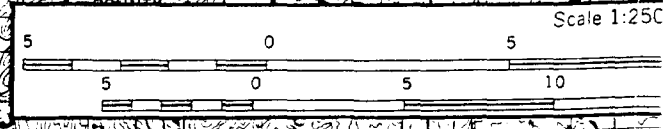


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2324 N. CLEVE-MASS RD., BOX 807

BATH, OHIO 44210-0807

216/659-4440





**TABLE L1**  
**AUTHORIZED AND PROPOSED**  
**1 mV/m CONTOUR POPULATION**  
**AND AREA**

Cynthia A. Siragusa  
Belle Plaine, IA

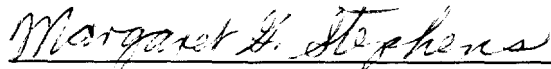
	<u>Area</u> <u>(Square Kilometers)</u>	<u>Population</u>
Authorized 1 mV/m Contour	2536	27,148
Proposed 1 mV/m Contour	4692	55,620
Net Gain	2156	28,472



**CERTIFICATE OF SERVICE**

I, Margaret G. Stephens, of the law firm of Allen, Moline & Harold, hereby certify that a copy of the foregoing **Petition for Rule Making** was served this 31st day of July, 1992, by hand delivery, on the following:

Michael C. Ruger, Chief  
Allocations Branch  
Policy and Rules Division  
Federal Communications Commission  
2025 M Street, N.W., Room 8322  
Washington, D.C. 20554

  
\_\_\_\_\_  
Margaret G. Stephens